IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY SIXTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 21744 of 2004

Between:

Syed Mateen Shareef, S/o. Late Syed Moin Shareef, Business,
R/o. 17-2-1195/A/23, Wahed Colony, Rein Bazar, Hyderabad.

..... PETITIONER

AND

1. The Mandal Revenue Officer, Saroornagar Mandal, Saroornagar,
   R.R. District.
2. Circle Inspector, L.B. Nagar P.S., L.B. Nagar X Road, R.R. District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to pass an order or orders particularly one in the nature of Writ of Mandamus declaring the action of the First and Second Respondent's for the proposed arrest and demolition of the petitioner's property as bad, illegal and unconstitutional and further direct the first and second Respondent and their agents or anybody under their authority not to interfere in the petitioner property bearing Sy.No.97 admeasuring Ac.2.38 gts. situated at Karmanghat Village, Saroornagar Mandal, R.R. District.

Counsel for the Petitioner: MR.KESHAV HULSURKAR

Counsel for the Respondent No.: GP FOR REVENUE

The Court, at the stage of admission, made the following :

ORAL ORDER:

The petitioner has filed this writ petition seeking a Mandamus to declare the action of the respondents for the proposed arrest and demolition of the petitioner's property in S.No.97 admeasuring Ac.2.38 guntas situated at Karmanghat Village, Saroornagar Mandal, R.R.District, as bad, illegal and unconstitutional.

Heard the learned counsel for both the parties.

It is nowhere stated in the affidavit about the violation or infringement of any constitutional right much less the legal right. In the absence of violation of any legal right, the contemplated proposal of the respondents cannot be curtailed. Therefore, the writ petition is devoid of merit and it is liable to be dismissed at the stage of admission.

The writ petition is accordingly dismissed. However, the

dismissal of this writ petition will not give any right to the revenue authorities to take the law into their own hands. If they want to proceed against the petitioner, they can do so only in accordance with law. In the circumstances of the case, there shall be no order as to costs.

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(K.C. BHANU, J.)

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

26th **November, 2004**

bcj

To

1. The Mandal Revenue Officer, Saroornagar Mandal, Saroornagar,

R.R. District.

2 Circle Inspector, L.B. Nagar P.S., L.B. Nagar X Road, R.R. District.

3. Two CCs to G.P for Revenue, High Court Buildings, Hyderabad (OUT).

4. Two CD Copies.